

REMARKS

The application has been amended and is believed to be in condition for allowance.

This amendment is being filed as part of an RCE application, concurrently with an IDS.

The claim set has been amended without prejudice. No new matter is entered by way of these amendments.

Applicants appreciate the detailed Response to Arguments.

From the details of the rejection beginning on Official Action page 4, the claims were all rejected as obvious over Setogawa, EP 0898279 in view of Takahashi 5,966,495.

The Office Action asserts that Takahashi discloses the claimed aspects, wherein information items which are recorded spatially separately from each other can be correctly joined and continuously reproduced.

However, Summary of Takahashi merely discloses that the entity information (i.e., video information and audio information) is recorded together with the control information (i.e., search information and retrieve information) which is used to reproduce the entity information.

In contrast, in the present invention:

(i) both of the item (i.e., the first stream, more specifically, the video information and the still picture

information) and the sub item (i.e., the second stream, more specifically, the menu information) are the entity information,

(ii) both of the item information which specifies the item, and the sub item information which specifies the sub item are the control information, and

(iii) the item information and the sub item information, both of which are the control information, are recorded independently and separately from each other.

Therefore, since Takahashi merely discloses the entity information (i.e., the video information and the audio information) is recorded together with the control information (i.e., the control information for the video information and the audio information), Takahashi does not disclose another type of the entity information (e.g., the recited the menu information) and another type of the control information (e.g., the control information for the another type of the entity information).

Thus, Takahashi does not disclose the novel feature of the present invention such that:

(i) the second stream including the plurality of menu information, which is the entity information and is different from the first stream including the video information and the still picture information, is recorded,

(ii) the sub item information for the menu information, which is the control information and is different from the item

information for the video information or the still picture information, is recorded, and

(iii) the plurality of item information and the plurality of sub item information are recorded in the play list information independently and separately from each other.

Thus, for this reason alone the obviousness rejection is not viable.

In addition, the combination of Setogawa and Takahashi does not disclose the following four features of the present invention:

I. The combination of the Setogawa and Takahashi does not disclose the first feature of the present invention such that "the reproduction of the video information or the still picture information included in the first stream which is reproduced before the display of the one menu information is kept, during the one menu information is superimposed".

More specifically, in Setogawa, both of the video data 73 and the sub picture data 71 (i.e., the menu) are recorded in one cell 63 (see paragraph 76 and Fig. 9).

Therefore, in the case where (i) the first cell includes the first video and the first sub picture (first menu), (ii) the second cell includes the second video and the second sub picture (second menu), and (iii) the second menu is displayed after the first video is reproduced, the first video cannot be reproduced during the second menu is displayed because the first

video is not included in the second cell which includes the currently displayed second menu.

In addition, in Setogawa, although menu buttons are made up of a still picture of subpicture and synthesized into one picture with the moving picture as a background and the execution of the buttons allows the reproduction of the chapter (see paragraphs 76, 82 and 83 and Fig. 3), the cell for the menu includes only the sub picture as the button menu and the video as the background, the video which was reproduced before the display of the menu cannot be reproduced, because the cell in which the video which was reproduced is included is different from the cell for the menu.

Still further, Takahashi does not disclose the above first feature of the present invention at all. Therefore, the combination of the Setogawa and Takahashi does not disclose the above first feature of the present invention.

II. The combination of the Setogawa and Takahashi also does not disclose the second feature of the present invention such that "the object data file and the play list information being recorded on the information recording medium independently and separately from each other".

More specifically, Setogawa merely discloses that the object data (i.e. the video 73 and the sub picture 71) and the play list information (i.e., the control information for the object data, in particular, HLI 72) are included in the same cell

(see Fig. 9). Therefore, Setogawa does not disclose that the entity information and the control information are recorded independently and separately from each other.

Furthermore, Setogawa discloses the disadvantage of dividing the PGC (Program Chain) in to the menu section (i.e. the entity information) and the dynamic highlight section (i.e. the control information) and advantage of making single PGC with the menu section and the dynamic highlight section (see paragraph 95). This disclosure is opposite to the above second feature.

The same points apply to Takahashi.

Thus, the combination of the Setogawa and Takahashi does not disclose the second feature of the present invention.

III. The combination of the Setogawa and Takahashi does not disclose the third feature of the present invention such as the "play list information which includes item information and the sub item information".

More specifically, Setogawa merely discloses the control information for the menu (i.e. HLI 72 for the sub picture 73) and does not disclose the control information for the moving picture as the background. Therefore, Setogawa does not disclose the item information.

In addition, Takahashi does not disclose the above third feature of the present invention at all. Therefore, the combination of the Setogawa and Takahashi does not disclose the above third feature of the present invention.

IV. The combination of the Setogawa and Takahashi does not disclose the fourth feature of the present invention such that "the plurality of item information and the plurality of sub item information being recorded in the play list information independently and separately from each other".

More specifically, Setogawa merely disclose the control information for the menu (i.e. HLI 72 for the sub picture 73) and does not disclose the control information for the moving picture as the background. Therefore, Setogawa does not disclose the item information.

In addition, Takahashi does not disclose the above third feature of the present invention at all. Therefore, the combination of the Setogawa and Takahashi does not disclose the above fourth feature of the present invention.

Thus, for these further reasons, the obviousness rejection is not viable.

Reconsideration and allowance of all the claims are respectfully requested.

Having addressed all of the issues raised in the Official Action, the present amendment is believed to be fully responsive. Applicants appreciate the Examiner having indicated that the Information Disclosure Statement previously filed has been acknowledged and considered.

Applicants believe that the present application is in condition for allowance and an early indication of the same is respectfully requested.

Should there be any remaining outstanding issues, applicants would appreciate that the undersigned attorney be telephonically contacted so that these issues can be resolved and the case be passed to allowance.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Roland E. Long, Jr./
Roland E. Long, Jr., Reg. No. 41,949
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

REL/lrs

APPENDIX:

- clean listing of amended claim set
- IDS